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## CONGRESSIONAL RECORD — SENATE

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it may need as well as the quantities necessary to carry out its mission. The Army's forward look is fully apparent in its current reorganization plans, recently announced by the President, and I am confident that this is but one visible example of Army planning which will enable it to cope with the shifting tactics of ground warfare.

I spoke a moment ago of our American destiny. Very simply it is to remain true to our heritage of freedom. We do not wish to remake the world in our own image. But as Woodrow Wilson said:

We will fight for those who submit to authority to have a voice in their own government.

President Kennedy pointed out in his most recent defense message that this Nation was born of revolution and raised in freedom. "We do not intend," he said, "to leave an open road to despotism." These I know are our sentiments here and the sentiments of Americans everywhere.

Our U.S. Army, acutely conscious of its own birth in freedom, stands today—as it has for 186 years—squarely astride the tyrant's path. History has proven that it will stand as a powerful force for peace only so long as it is firmly rooted in the strength of the entire Nation. Thus, as we salute the Army on the 186th anniversary of its selfless service to the cause of liberty, let all Americans resolve never to falter in their responsibility to an organization which has never failed the Republic and—God willing—never shall.

Mr. CURTIS. Madam President, I wish to commend the distinguished Senator from South Carolina [Mr. THURMOND] for calling attention not only to those of us in the Senate but also in the whole country, that today is Flag Day and the 186th birthday anniversary of our Army. Much of the troubles of our country today stem from the fact that it is considered unpopular and old-fashioned to be patriotic. The distinguished Senator from South Carolina has never been found in that category. I say to him, may his tribe increase.

*get to*  
TRACTORS FOR CASTRO

Mr. CURTIS. Madam President, I wish today to speak concerning the so-called tractors-for-freedom matter. I hold in my hand a newspaper clipping which appeared last Monday in one of the Nation's leading newspapers. It states: "A four-man team hopes to arrive in Cuba tomorrow" for negotiations with Prime Minister Castro in his plan to trade 1,200 prisoners for 500 tractors. The technical team which arrived in Washington yesterday from Detroit to obtain entry permits to go to Cuba was named by a citizens committee raising funds to buy tractors. Castro has said he would talk with the team, although he would have preferred to negotiate with Mrs. Eleanor Roosevelt or Dr. Milton Eisenhower, cochairmen of the committee.

Madam President, that delegation of four individuals may be taking steps

which will determine the future history, not only of this Republic but also of the whole Western Hemisphere. Who are these men? Among them are three college professors. I have nothing against college professors. Their specialty happens to be agricultural engineering.

Are they going to Cuba to teach the operation of tractors? If such a team must go to Cuba, why is it not made up of individuals who are trained and experienced in dealing with Communists? Why pass up all the talent that we undoubtedly possess in this field?

The fourth member of the team is an official of the United Auto Workers' Agricultural Implement Department.

Why do they start out from Detroit? I do not know. There are a number of people who feel that certain kingmakers in Detroit are having too much to say about the running of the country. It may be a coincidence.

This is a shocking thing. I caused an inquiry to be made at the State Department as to what kind of security check had been made on the four negotiators. So far as I know, every one of them is a loyal citizen. I am not attacking any of them. I am challenging and questioning the practice of this Government. What reply did I receive? They were given no security check whatever, not even a security check that is given to an 18-year-old youngster who applies for a G-2 job in Government. Yet they are to go there, Madam President.

I wish to read a letter from a Navy lieutenant concerning the tractors for Cuba. The writer of the letter to me was himself a prisoner of the Communists for about a year and a half.

The letter is from Navy Lt. Duane W. Thorin, a native Nebraskan, the eighth son of Swedish immigrant parents who homesteaded in western Nebraska at the turn of the century.

Lieutenant Thorin enlisted in the Navy as an Apprentice Seaman in 1939; served in continuous active duty ever since. Designated a Navy enlisted pilot in 1943; served the remainder of World War II in the Pacific theater. Served in China and the Far East immediately after World War II during the period when the Chinese mainland was overrun by the Communists.

Served as a helicopter rescue pilot during the Korean war, flying from various ships and off-shore islands in North Korean waters. Evacuated more than a hundred U.S. and allied forces from enemy territory in North Korea before being shot down and captured by Communist forces during an unsuccessful rescue mission in February of 1952.

Escaped captivity in July 1952, but was recaptured by the enemy before reaching friendly forces. Repatriated in Operation Big Switch, in September of 1953.

He authored a book, "A Ride to Panmunjom"—Henry Regnery Co., 1956—recounting, in fictional form, actual events which took place in Communist prison camps where he was confined. This book depicts the reactions of many different types of American servicemen to the rigors of their Communist imprisonment.

Lieutenant Thorin's knowledge of the Communists, their conspiracy and their tactics is not limited merely to that which he learned while their prisoner in Korea. Since repatriation he has maintained, on his own time and resources, an intensive and continuing study in this field. This work has resulted in a number of published articles dealing with Communist tactics as applied in current affairs, several of which have appeared in U.S.A. magazine. He has done a number of separate analyses in this field for various private and governmental organizations and given innumerable lectures to both military and civilian groups.

The letter is as follows:

JUNE 2, 1961.

DEAR SENATOR: Along with many of my shipmates and, I'm sure, many other of my countrymen, I am gravely disturbed over the current campaign to raise funds to pay ransom to Castro. It happens that I am in a better position than most Americans, however, to take exception to this campaign without drawing undue criticism upon myself. Having myself been a prisoner of the Communists (during the Korean campaign), I am less likely than others to be accused of heartlessness toward the 1,214 human hostages who are involved. I understand their predicament full well, and I'm sure my compassion for them at least equals that of the self-proclaimed humanitarians who are heading the ransom fund drive. It is not in contradiction to my compassion for those men, but because of it, that I insist we should not ransom them. To submit to blackmail at the hands of their Communist captors not only is against the best interests of our own country and of the Cuban people at large; it is contrary to the interests of the worldwide battle against tyranny and, in the final analysis, against the best interests of the hostages themselves.

Realizing the hue and cry which may be raised against my last contention, I will elaborate on that point. Assuming that the 1,214 men who are offered for ransom are indeed of those who were fighting to free Cuba, then to ransom them would be to betray the very cause for which they fought and in the service of which they fell to their present misfortune. If their cause was worth their risk of life on the invasion beach—and I believe that it was—neither we nor they can view their situation differently now without abandoning that cause.

There are many, perhaps, more tangible facts, which indicate that present U.S. attitude in this matter is unwise. Among them:

1. There is no guarantee of the legitimacy of the individuals whom Castro may release. Can we trust a nonofficial emissary to insure this without the weight of the U.S. Government to back him up? Certainly we cannot trust Castro.

2. Any who are released will almost certainly have signed a pledge to refrain from any further anti-Castro activities. (The Communists tried to get such pledges from American prisoners released after the armistice in Korea.)

3. There is no assurance that Castro will not suddenly change his mind, calling the deal off before the first exchange or after a few, if it suits his purpose; or otherwise further embarrass the United States by demanding something more. No one can deny that he is calling the shots in this affair.

4. We open the door for further blackmail, despite loud claims to the contrary by promoters of the campaign. We have paid ransom to the Communists before. In each instance, they have decided which ones they would release of the many hostages they hold, and largely set the terms of the

exchange. It is noted that, generally, the price has gone up each time. How much will we be willing to pay for the next group of hostages some Communist dictator wants to sell? Or would it be more proper to ask how much we will be asked to pay, since we never seem to quibble over the price?

5. A press dispatch from Tokyo, dated May 31, 1961, reports that Communist North Vietnam has served notice—they will apply Castro's "tractors for prisoners" principle to any Americans or American-trained anti-Communist forces whom they happen to capture. Another news report tells us that at least three more of the anti-Castro Cubans who were captured during the invasion attempt have been condemned to death by Castro—since negotiations began for ransom of the 1,214.

This campaign is called "tractors for freedom." I would call it, more properly, "tractors and freedom"; that is what we are giving up when we give way to blackmail—a few tractors, which in the monetary sense we may be able to afford, and an element of freedom which we cannot in any sense afford. Once we give way to blackmail, out of fear of dire consequence if we take more appropriate action, we become slaves to our fears at once and eventually to more than that. This is not the way of men who cherish freedom.

Freedom can never be bought by material goods. We cannot ransom our way out of danger or difficulty, no matter how much we are willing to pay.

The promoters of this ransom fund drive (including certain public officials) contend that Castro has "bumbled" in this affair—that he is losing popularity as result of it, especially in Latin and South America. Are these "prominent" individuals, at this late date, still unaware that a Communist dictator doesn't give a hoot about popularity. A Communist doesn't care if he is liked, he wants to be feared.

Although they make much use of so-called world opinion in pressuring us to concessions in their own favor, the Communists are most cynical of what people may think, or even say about themselves—so long as no effective action results which is contrary to Communist interests. A prime example of this can be seen in some remarks of Khrushchev in Hungary, less than 2 years ago. Speaking in Budapest, on the third anniversary of the event, Khrushchev boasted, long and loudly, of his suppression with Soviet forces of Hungary's bid for freedom in 1956. Then he mentioned that attempts were then underway to make this instance of Soviet intervention in Hungary a topic for discussion in the United Nations. About this move he said, "Well, if it gives them any consolation, let them talk about it. Let them have it for a souvenir." Understandably, that remark was followed by laughter from his Communist audience.

It is further argued by promoters of the ransom fund that Castro's position is hurt by this affair because it reveals his callousness toward human life. Anyone who could not deduce this from Castro's past actions seems hardly capable of a discerning opinion of his own in any case, and is not likely to take any constructive action if some vague awareness is now finally reached. Again the argument overestimates the value of so-called world opinion in shaping world events. It is unfortunately true that our Government seems inclined at present to give way to the nebulous "moral" force of this so-called world opinion. But the Communists most certainly do not let it deter them in any way.

It should come as no revelation to previously informed adults that Castro equates human life with material goods. No Communist ever conceals the fact that he so regards human life (other than his own); rather, he boasts of it. The point is that in

acceding to this demand for ransom we are in fact acting on the same premise. We do not demonstrate a high regard for the lives of others by trading tractors for them. We can do it only by showing ourselves willing to risk our own necks in their behalf. The humanitarian concern of the ransom fund promoters does not generally seem to go that far. More accurately it seems that they would pay this homage to Castro in order to avoid even a little risk to themselves. How easy it is to appear magnanimous and humanitarian with other folks' money.

But, of course, it is also easy to speak boldly of risking other people's lives. So let there be no misunderstanding of my own position. I am entirely in favor of liberating the Cubans who are held prisoner by Castro and his henchmen. But not just some of them—all of them. That is to say, all of the Cuban people, for they are all prisoners of the International Communist conspiracy.

In support of that position, I offer not just a few pennies for the purchase of equipment. I offer my services in action—to lead such other volunteers as I may be qualified to lead, and to follow such others as are qualified by their wisdom and experience to lead me in such action.

Let me assure you that this is no idle proposition. Neither is it an impractical one, or without precedent in history. I would insist, of course, on one of two conditions for such a venture. Either that volunteer group must have the complete backing of the United States Government, or the United States Government should keep completely out of it. We experienced quite enough the tragic consequences of half-hearted and vacillating official policy during the Korean campaign. And similar vacillation on the part of officialdom seems to have contributed to misdirection of events which led to our present near-dilemma regarding Cuba.

I would prefer, of course, that the U.S. Government should back such an enterprise, or still more preferably initiate it. I would like very much to see my country assert itself once more in the American tradition. But since its dominant leadership appears, at the moment, to favor abdicating its responsibilities in this particular matter, leaving it in the hands of interested citizens groups, someone must surely move in to fill the vacuum. I would much rather see that vacuum filled by Americans who will still stand firm, than leave our destiny in the hands of such citizens as are crusading for the ransom funds. For theirs, whether they know it or not, is the way of piecemeal surrender—and certainly not the way of men who cherish freedom above material security.

One does not, of course, condemn all who support or contribute to this ransom fund drive. No doubt many do so with only the best of motives. But there is an oft-repeated cliché which says that "the road to hell is paved with good intentions." It is perfect analogy to say that the same holds true of the road to Communist subjugation. History reveals this, all too vividly with nation after nation; including the one (Cuba) with which we are immediately concerned.

One must acknowledge, too, the emotional appeal of this campaign to ransom the 1,214 prisoners. Which is all the more reason neither to belittle nor condemn the truly humanitarian motives of many who may be supporting it. But it is not condemnation to point out that their good efforts and fine sentiments may be misdirected. There is ample reason to question the motives of some who are heading the campaign. For they certainly are in positions to know the broader implications of this affair; and should be fully aware that no such matter as this should be considered apart from the world-

wide pattern of Communist aggression and advance. Yet they persist in their claims that our position in this world conflict is somehow bettered by this concession to the enemy; and in the promotion of their crusade would have their listeners believe that any who oppose their project are heartless, if not downright inhumane.

So let us examine, just a bit, the professed humanitarianism of some of those who are leading the ransom fund drive. Can we not reasonably ask: Where is their humanitarian concern for the untold numbers of Americans held captive by the Communists? Those held in Red China, for example, are they not worth the price of a tractor? Or is the rate of exchange a bit higher for them? (Such as diplomatic recognition of the Communist regime in Peking. It bears mention that some of the "prominent citizens" who are in the van of the ransom fund drive are on record as promoting just such concessions to the Chinese Communists.) And where is their humanitarian sentiment for those, previously mentioned, of captured anti-Castro forces who only last week were ordered to execution? I see no mention of them in the emotional appeals being made for the ransom fund. Yet these, I would consider, are the most deserving of our concern.

Where is the humanitarian concern for the 200,000 human beings now held as political prisoners by the Castro regime? Still further, where is the humanitarian fervor for liberation of the Cuban people at large? Every Cuban, be he presently walking the streets of Havana, or shackled in a cell in Cabanas, is in imminent danger of summary execution. One word, even of mere suspicion, can lead to his immediate arrest and liquidation. Such is the way of all Communist regimes, both in principle and in practice. Castro's record shows that his is no exception.

I have personally witnessed Communist suppression of their own subject citizens. The inhumanity of their methods is perhaps beyond the imagination of most Americans. I have seen their peoples courts in action, and observed their consequences in human depravity and suffering. I have been able, while a prisoner of the Communists myself, to feel genuinely sorry for citizens in the community surrounding my place of confinement, who were as free as any ever are under a Communist regime. For I had at least known freedom and had some prospect, small though it seemed at times, of knowing it again. But they, the most of them, had neither such memories of freedom or even a little such hope.

Perhaps no single method of the Communists in suppressing their subjects is more evil and inhuman than the peoples courts. Certainly none is more revealing of the true nature of Communist rule. This is a process wherein the citizens of a community are gathered together and one of their number exposed as an enemy of the state. The victim is stood apart, but in view of the entire crowd; then one after another of his neighbors is called upon to come forward and tell what they know about him. Let any refuse to testify, or perchance speak in the victim's behalf, and they may shortly find themselves charged along with him. In short order the crowd is transformed into a mob; partly out of fear for their own skins and partly because they begin to believe even the most gross lies which are being shouted about the victim. The Communist in charge incites the mob to whatever degree of violence is necessary to get them to pronounce the sentence which the Communists want the victim to receive. Thus do the Communists who have ordered the affair absolve themselves of responsibility for the act, and place it upon the people.

Controlled mob violence is a primary tool of the government, in a Communist society;

used deliberately by the Communists to keep the citizens subdued. And they call it, incidentally, "democratic action."

Such is the nature of Communist rule, wherever it is imposed. We Americans have stood by, hesitant and uncertain, while just such rule was imposed on our neighbors in Cuba. The Communists fully intend, eventually, to impose the same on us. They have declared so, repeatedly, including in their very latest official pronouncements. Yet still we hesitate—we remain uncertain and undecided. If we would prevent the fall of this nation and of the world to Communist rule, we must take some far more decisive action than paying homage and ransom to those who would bring it about.

In analyzing this matter, I have relied much on personal knowledge of the enemy and their methods which I gained during the Korean campaign. There are other, more comprehensive lessons learned from that campaign which also apply. Shortly after the armistice in Korea, an extensive study was made of the behavior and misbehavior of a number of Americans who were held prisoner by the Communists. Out of that study came a document called the "Code of Conduct for Members of the U.S. Armed Forces." One part of that code says for the American fighting man, "If I am captured I will accept neither parole nor special favors from the enemy." It says, in effect: "I will not make a deal with the enemy; because I know that any deal he offers is in his favor and not in mine—and that it is not in my country's favor."

The code of conduct was issued as an Executive order. Certainly a different individual occupied the office of the Chief Executive then than now. But the order still stands. Would our present Chief Executive want to cancel at least that part of the Code of Conduct which requires of an American fighting man that he will not accept parole from the enemy if he is captured?

We seem to be honoring parolees from the Communist prison in Cuba, and acceding to their demands. (Let me repeat, I am not at all against these men or their best interests; I appreciate their circumstances better, I think, than most Americans are able to.) Ten men accepted parole from the enemy to come to the United States and plea for us to bail them out. In fairness to them I must make clear that I have heard of no pleas expressed by themselves directly, and I do not at this point impugn either their courage or intent. I am far more concerned over the behavior of others, in their regard—of certain Americans who were involved in the parolees' appearance in America. For those men were put on display—they were used as "backdrop" for the staged pleas (and photographs) of one or more of the "prominent" American citizens who are heading the ransom crusade. They were used as part of an emotional appeal—tending to outlaw the reason and judgment (however harsh that judgment may seem to some) which should be used in meeting this situation.

Let there be no misunderstanding of my complaint, lest someone charge that perhaps I feel slighted because no one offered to trade a tractor for me while I was a prisoner of the Communists. Quite to the contrary—it was my earned privilege to spend most of my imprisonment in the company of a very select group of men, most of whom were called, by the enemy, incorrigible reactionaries. I've heard these men pray, and I have prayed with them, not in plenty but in the deadly serious way of men who are fully self-committed to battle with the enemy at all costs: "God, don't let our people give way to these b-----s in the talks at Panmunjom. I'll stay here till doomsday, if I must, or find the way to get out by myself. But don't let them sell us short at Panmunjom."

By no means would I want our President to cancel that part of my code of conduct which provides that an American fighting man captured by the enemy will not accept parole. For this, together with the other provisions of that code, is essential to the best interests of the captive fighting man as well as the cause which he serves. What I would like is to see all America abide by that code. Make no deals with the enemy, but take a firm stand, however belated it may now seem to be. Begin now the long and difficult task of destroying the Communist conspiracy, and of liberating all of the human hostages it holds.

I submit these views and proposals as personal and private opinion, in no way pretending to represent the naval service or the Naval Establishment at large. And I do so fully aware that some will contend that a commissioned officer, or any member of the U.S. Armed Forces, is duty bound to refrain from such public remarks. But I note that certain high Government officials, both elected and appointed, have publicly endorsed the ransom fund campaign, claiming that in doing so they do not involve their offices or the U.S. Government. I contend, therefore, that others of us in less prestigious positions must still have the right to as freely speak in opposition to it. If the situation is later shown to be otherwise, then it is already too late to defend ourselves against tyranny, we will need to extricate ourselves from it.

My primary purpose in expressing myself in this matter is to encourage our national leadership to establish a clear firm stand against the menace of communism, in all its forms. Only then can we, the people, stand with that leadership and back it to the hilt. I am convinced that most Americans favor such a stand, whenever they become aware of the finality of this present world conflict. (Increasing the extent of that awareness will be a much smaller problem once a firm and decisive policy is established.)

Even so, I realize full well that for being so candidly critical of our national policy and, through it, of our dominant national leadership, some may consider me, technically at least, to be in violation of certain established codes of behavior expected of an officer in the U.S. military service. "Ours not to question why—ours but to do or die," is a long-standing expression of what some think should be the philosophy of a man in uniform. But it is a philosophy which can apply for Americans only when their leadership is decisive and certain as to its goals; and when those goals are clearly consistent with the principles of our Nation and its basic concept of freedom. Otherwise it would be naught but blind allegiance, as readily misled into unworthy cause or tragic experiment as it might be directed to proper and noble service.

No mature person, basically aware of current events, can help but know that at this moment there is uncertainty and indecision in our national and foreign policy. It is not necessarily fault-finding to say this, it is a fact of the facts. Some periods of uncertainty are bound to be, in the complexities of world affairs. It is most unfortunate that uncertainty has prevailed for so long in the United States on this matter of combating the Communist menace. Worse, still, is the fact that there is no public evidence to date that this situation is going to change in the very near future.

We are told by our national leadership that the country is in grave danger. Yet it is not clearly shown what the danger is, much less what is intended to be done about it. We are told that we must make sacrifices, but it remains unclear just what we are to sacrifice. Is it only money—or tractors? No human problem can be completely

solved with material goods alone. For the sacrifice of these does not involve personal commitment. A man does not give himself to the battle without some worthy goal which is clear in his own mind. Wherefrom can the man in uniform—or any dedicated American—gain a sense of purpose and direction when uncertainty and vagueness prevail in his national leadership?

For my own part (and perhaps this may be helpful to others) I find it embodied very well in the oath one takes on acceptance of a commission in the U.S. military service. The foresight of our Founding Fathers is further demonstrated in the structure of that oath. For a man is not sworn in allegiance to any individual or office of government. He pledges himself to the Constitution of the United States—to uphold and defend it against all its enemies, foreign and domestic. I perceive that at this moment it is gravely threatened by both kinds.

Most sincerely,

DUANE W. THORIN,  
Lieutenant, U.S. Navy.

During the delivery of the speech by Mr. CURTIS,

Mr. MORTON. Madam President, will the Senator from Nebraska yield?

Mr. CURTIS. Madam President, I shall be happy to yield. I ask unanimous consent that the colloquy be placed in the RECORD following the completion of my reading of Lieutenant Thorin's letter.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORTON. Madam President, I desire to commend the able Senator from Nebraska for bringing this very interesting letter to the attention of the Senate. We keep talking about tractors for the Cubans. We refer to the tractor deal. Let us not forget that the original proposal by Mr. Castro was for bulldozers and tractors. We do not know how many bulldozers will be involved.

Furthermore, anyone who served in the Seabees in World War II or in the Korean war knows that a bulldozer is a very important military mechanism, if not a weapon.

I agree with the position of Lieutenant Thorin and the Senator from Nebraska, and all of us in discussing this subject should remember that the proposal is not for a large number of small cub tractors to be used to cultivate the fields in order to produce food for the hungry people of Cuba. This deal, as originally proposed by Mr. Castro, and as accepted, as I understand, by President Kennedy—at least, President Kennedy urged certain citizens to form a committee to try to implement the deal—involved bulldozers as well as tractors. We know that bulldozers are used to build airfields and launching pads. Bulldozers played an important part in our victories in World War II and the Korean war.

Mr. CURTIS. I thank the distinguished Senator from Kentucky. I again call attention to the fact that of the four negotiators, who may be determining the fate of the entire Western Hemisphere, three are professors of agricultural engineering. They may be the most excellent characters in the world; I do not wish to condemn them. But certainly they are not men who are experienced

in hard dealings with Communist dictators. The fourth member of the group is a representative of Walter Reuther's union. Those men are in Cuba without any security check from the U.S. Government. History will hold someone responsible.

#### VISIT TO THE SENATE BY MEMBERS OF THE SENATE OF THE REPUBLIC OF BRAZIL

Mr. SPARKMAN. Madam President, we have just had a luncheon in the Foreign Relations Committee room, over which the distinguished Senator from Oregon [Mr. MORSE], chairman of the Subcommittee on Latin American Affairs, presided. Unfortunately, the Senator from Oregon, as well as other members of the committee who were present at the meeting, had to go to committee meetings. Therefore, the duty and the privilege falls upon me to present some distinguished persons whom we have with us today, Senators from the United States of Brazil. I present:

The Honorable Reginaldo Fernandes de Oliveira.

The Honorable Ruy Carneiro.

The Honorable Jorge Maynard Campos.

The Honorable Fausto Cabral.

The Honorable Miecio dos Santos Andrade.

[Applause, Senators rising.]

I should like to say something that, of course, it is not necessary to say, because we all know that Brazil is one of the great countries of the free world. It is a fast friend of the United States, and has been throughout the years, and I feel certain that we shall continue to work in close harmony with the people of Brazil.

Therefore, it is most fitting that these distinguished Senators visit us, and we are delighted to welcome them to the floor of the Senate on this occasion.

I yield to the Senator from Vermont [Mr. AIKEN.]

Mr. AIKEN. Madam President, I wish to join in extending greetings to our fellow Senators from the great Republic of Brazil. Brazil, as we all know, operates more like the Government of the United States of America than does almost any other country. I think it is more nearly like our system of government than that of any other country.

Brazil has always been a great friend of the United States. We have worked together time and again, in times of crisis, in times of peace.

I join the Senator from Alabama in welcoming these distinguished guests to this Chamber today.

Mr. SPARKMAN. Madam President, I yield to the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD].

Mr. MANSFIELD. Madam President, I wish to join the distinguished Senator from Vermont [Mr. AIKEN] and the distinguished Senator from Alabama [Mr. SPARKMAN] in welcoming our compatriots from south of the border.

We are aware of the great difficulties which confront your country at this time. We know you have a problem of

great need and importance in the northeast. We know you are trying to expand your country westward to the extent that people will move away from the seacoast and into the interior. We know your President, Mr. Quadros, has a dangerous inflation problem to contend with, but we honor him for the attempts he is making to bring stability to the great Republic of the United States of Brazil. We know the course he must follow will be extremely difficult, but we want to assure you he has our friendship, our appreciation, and our understanding. We wish him well in the difficult tasks which he faces.

We are delighted to have you, sirs, as honored colleagues from a sister republic. We hope this is only the first of many more visits to our country.

#### PASSPORT LEGISLATION

Mr. LAUSCHE. Madam President, I wish to call attention to the very unsatisfactory situation which exists with respect to the passport law of the United States. I do so because the subject is important and urgent. I do so also because I do not wish to have my silence construed as satisfaction with the lack of action by the Congress, or the absence of a clearly stated and definite policy by the administration toward establishing passport policies adequate to the perilous times in which we live.

The present situation is full of confusion and, in my opinion, danger.

It is necessary to review some history in order to judge the problem which faces the Congress. The passport statute now on the books was enacted in 1856. Conditions then were, of course, very different from conditions now. During most of the history of our country, a passport was not required upon entering the country or leaving it.

During the latter part of World War I, for military reasons, the law was changed to require a passport for entry or exit from the United States. World War II again necessitated such a requirement and, under legislation which still exists, Presidents Truman, Eisenhower, and Kennedy have continued the requirement that a passport is necessary for entry or exit by making determinations that a "national emergency" continues.

Existing passport laws are quite brief and many questions of interpretation and policy have arisen. Some of these questions have been settled by the courts but others remain in doubt. During World War II and following, the Department of State claimed that it had complete discretion in the issuance of passports. That is, it claimed the right to decide which American citizens might travel abroad and where they might be allowed to go.

This claim of complete discretion was narrowed down by the Courts in several cases but there began to arise charges and denials that the discretionary authority claimed by the Department of State was from time to time abused. In fact, in 1957, the Committee on Foreign Relations held several hearings to look

into some of these charges of abuse of discretion.

Madam President, this already confused legal situation on passports was thrown into turmoil in 1958. On June 16, 1958, in the case of Kent against Dulles, the Supreme Court held that the Department of State, could not, in the absence of express statutory authorization, withhold a passport on the ground that an applicant refused to sign a non-Communist affidavit. The Court in that same case indicated that under existing statutes, a passport may be denied if the applicant is not a citizen, or is engaging in criminal conduct, or is a member of a Communist organization under a final order to register issued by the Subversive Activities Control Board. The trouble with the last ground for denial of passports is that, owing to continuous legal contests ever since the Subversive Activities Control Act was passed, no order to register has yet been entered against any Communist group.

As soon as the Supreme Court decision in Kent against Dulles was handed down, President Eisenhower sent a bill to the Congress which would have, in effect, enacted into law the Department of State passport regulations as they existed before the Supreme Court decision. President Eisenhower stated at that time that every day that passed without the legislation which he proposed left the country in great peril. At about the same time other bills, based on the opposite philosophy of passport policy, were also introduced. They would have prohibited the denial of passports, or the imposition of geographical restrictions on travel of Americans abroad, except in time of war. A bill representing a middle ground—comprehensively advising passport law and laying down specific and narrow grounds for denying passports—was introduced by Senator FULBRIGHT.

On September 8, 1959, the House passed H.R. 9069 which dealt only with the questions of denying passports to supporters of communism and of general geographical restrictions on travel. The House bill left the rest of passport legislation untouched.

The Committee on Foreign Relations had been active in the passport field even prior to the Supreme Court decision in 1958. The committee held hearings on passport legislation in 1957, in 1958, and in 1959. In 1960, a number of executive meetings were held by the committee to discuss passport bills. Some members of the committee supported each of the three main approaches to the problem which I have just described. It was obvious that it was going to be difficult to work out an agreed committee bill.

With the change of administrations in January of this year, the committee decided that the subject of passport policy should continue to have a high priority. The committee decided, however, that a reasonable delay, until the new administration could review the subject of passport legislation and submit a bill or policy statement would be appropriate.

Madam President, in the absence of congressional action on passport law, the

